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			ART UNIT	PAPER NUMBER
			3676	

DATE MAILED: 05/18/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/731,071

Applicant(s)

MATSUO ET AL.

Examiner

Michael J Kyle

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 February 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 and 20-33 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-18 and 20-33 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Objections

1. Claim 25 is objected to because it depends from canceled claim 19. Examiner believes claim 25 should depend from claim 1.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1, 2, 5, 6, 8, 9, 11, 12, 20, 21, and 24-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over WIPO 98/34203 (WIPO '203) in view of European Patent 0780802 A2 (EPO '802). WIPO '203 discloses an electronic settling system for executing settlements on the Internet, comprising a computer (18 and 28 or 30), wherein said computer includes a storage means for storing financial transaction information of every user, a settling information receiving means for receiving settling information transmitted from the user through a telecommunication line, and a settlement execution means for executing a settlement between the users based on the settling information received by said settling information receiving means. Official notice is taken that many financial accounts include updating means for updating the financial transaction information of the users stored in said storage means so as to reflect the content of the settlement executed by said settlement execution means. The examiner notes that 28 and 30 are the credit or debit companies, as described in the specification of WO '203. The examiner asserts, that

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because 28 and 30 are contacted electronically, that they comprise a computer, with user account information that would include financial transaction information of a user, means for receiving settling information, and means for executing the settlement (page 8, first full paragraph). 19.

WO '203 does not disclose the storage means to include a data file for every user, and one said data file integrates financial transaction information of the one user, and when said computer reads out the financial transaction information of a user, said computer specifies the data file of the user and reads out this data file.

4. EPO '802 teaches storage means to include a data file for every user, and one said data file integrates financial transaction information of the one user, and when said computer reads out the financial transaction information of a user, said computer specifies the data file of the user and reads out this data file (column 3, line 45-column 4, line 2) so that a user may be properly billed or charged for a transaction. Therefore, it would have been obvious to one of ordinary skill in the art to modify WIPO '203 as taught by EPO '802 so that a user may be properly billed or charged for a transaction.

5. With respect to claim 2, WIPO '203 discloses the settling information receiving means to be adapted to receive the settling information transmitted from a portable information terminal (12) of the user.

6. With respect to claims 5 and 6, WIPO '203 discloses the computer (18 and 28 or 30) to further include means for transmitting the user's own financial transaction information to a device of the user in response to a request sent from the device of the user, which device is connected to said computer (page 7, 1st full paragraph).

7. With respect to claim 8, WIPO '203 discloses the electronic settling system to further comprise a purchase information input device (14) which includes means for transmitting purchase information that has been input therein to a portable information terminal (12) of the user and means for receiving authenticated purchase information sent from the portable information terminal of the user and for transmitting the settling information based on the authenticated information to said computer. WIPO '203 also discloses the computer to include means for transmitting the information of settled results to said purchase information input device, when said computer receives said settling information transmitted from said purchase information input device through said settling information receiving means and then executes the settlement using said settlement execution means. Furthermore, WIPO '203 discloses the purchase information input device to include means for receiving the information of settled results transmitted from said computer.

8. With respect to claim 9, WIPO '203 discloses the electronic settling system to further comprise a purchase information input device (14) which includes means for transmitting purchase information that has been input therein to a portable information terminal of the user. WIPO '203 also discloses the computer to include means for transmitting the information of settled results to said purchase information input device, when said computer receives authenticated settling information transmitted from the portable information terminal of the user through said settling information receiving means and then executes the settlement using said settlement execution means, the authenticated settling information being created by receiving the purchase information transmitted from said purchase information input device and authenticating the purchase information. Furthermore, WIPO '203 discloses the purchase information input

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device (14) to include means for receiving the information of settled results transmitted from said computer.

9. With respect to claim 11, WO '203 discloses a purchase information input device (14) including means for receiving authentication information transmitted from a portable information terminal (12) of the user, the purchase information input device including means for transmitting purchase information to the portable information terminal of the user, and the purchase information input device includes means for receiving the purchase information transmitted from the portable information terminal (12) of the user. WIPO '203 also disclose the computer to include means for transmitting the information of settled results to the purchase information input device. WIPO '203 does not disclose an entrance-exit control means arranged at an entrance-exit gate.

10. EPO '802 teaches an entrance-exit control means arranged at an entrance-exit gate (abstract) such that when a computer (130) receives settling information transmitted from said entrance-exit control means through said settling information receiving means and then executes the settlement using said settlement execution means and the entrance-exit control means includes means for controlling the opening or closing of said entrance-exit gate based on the information of settled results transmitted from said computer to allow for better traffic and patron flow though a toll line. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify WIPO '203 as taught by EPO '802 to provide better traffic and patron flow through a toll or check out line.

11. With respect to claim 12, WIPO '203 discloses an electronic settling system wherein said computer includes means for transmitting the information of settled results to a portable

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information terminal (12) which is the source of the information transmission when said computer receives the settling information transmitted from the portable information terminal through said settling information receiving means and then executes the settlement using said settlement execution means.

12. With respect to claim 20, Official Notice is taken that a computer may comprise a plurality of database servers and the storage means of each said database server includes said data file of each of a plurality of users.

13. With respect to claim 21, WIPO '203 discloses an electronic settling system wherein the computer reads out said data file of a user, by finding said data file server where said data file of this user is stored and the storage location of said data file for this user in said storage means of this database server, based on the user's branch number and account number. The examiner asserts that in WIPO '203, the account number and other financial ID to access the user's credit card or bank account. Using the branch number as an access parameter is equivalent to using any other numerical ID code.

14. With respect to claim 24, WIPO '203 discloses that upon the receipt of settling information sent through the telecommunication line, said computer (18, 28 or 30) performs the process of withdrawing the payment from the payer's account, based on this settling information, and sends information about the completion of the process of withdrawing to the settling information sender when the process of withdrawing the payment is completed, and after the transmission of the information about the completion of the process of withdrawing, said computer performs the process of depositing the payment in the payee's account (page 12, second paragraph).

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15. With respect to claims 25-27, WIPO '203 discloses that upon the receipt of settling information sent through the telecommunication line, said computer (18, 28 or 30) performs the process of withdrawing the payment from the payer's account, based on this settling information, and sends information about the completion of the process of withdrawing to the settling information sender when the process of withdrawing the payment is completed; and after the transmission of the information about the completion of the process of withdrawing, said computer performs the process of depositing the payment in the payee's account.

16. Claims 3, 4, and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over WIPO '203 in view of EPO '802, as applied to claims 1 and 2 above, and further in view of Rosenberg et al (U.S. Patent No. 6,363,357). WIPO '203 and EPO '802 recite all of the limitations of claims 1 and 2 above, but fail to disclose the financial transaction information of the user stored in said storage means to include settlement history information of the user.

17. Rosenberg et al teaches financial transaction information of the user stored in storage means to include settlement history information of the user so that buyers and merchants have ready access to the status of all activities associated with their accounts (column 9, lines 28-40). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify WIPO '203 and EPO '802 as taught by Rosenberg et al, to include settlement history information, so that the buyers and merchants have ready access to the status of all activities associated with their accounts.

18. With respect to claim 7, WIPO '203 discloses the computer (28 or 30) to further include means for transmitting the user's own financial transaction information to a device of the user

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in response to a request sent from the device of the user, which device is connected to said computer (page 7, 1st full paragraph).

19. Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over WIPO '203 in view of EPO '802 as applied to claim 1 above, and further in view of Horstmann (U.S. Patent No. 6,009,401). WIPO '203 and EPO '802 recite all of the limitations of claim 1 above, but do not disclose a system being adapted for a settlement between a customer as one of the users and a shop as the other one of the users on the Internet, at least some of articles provided by the shop are provided with a settlement restriction inhibiting a spot settlement so as to allow cancellation of the contract for a fixed period of time after the purchase of an article. Furthermore, WIPO '203 and EPO '802 do not disclose that when an article with a settlement restriction is to be purchased by the customer and the settling information is sent to said computer, this settling information is made to include the settlement restriction information, and in a case that said settling information includes said settlement restriction information, said settlement execution means of said computer executes the formal settlement, after the fixed period of time has elapsed, based on said settlement restriction information.

20. Horstmann teaches a system where an end user may request a refund for software through a product server. The role of the product server is to effect a credit transaction and, according to the terms of the end-user license, to refund the purchase price of a recently purchased software product for which the customer has requested license revocation (column 3, lines 8-12). The examiner also notes that it is well known and obvious to place a time limit for such a transaction to take place. Horstmann uses the system to conveniently add, remove, re-download, and re-

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license software from a server. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify WIPO '203 and EPO '802 as taught by Horstmann in order to conveniently perform software transaction over the Internet.

21. Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over WIPO '203 in view of EPO '802, as applied to claim 1 above, and further in view of Jacoves et al (Patent Application Publication US 2001/0018664). WIPO '203 and EPO '802 recite all of the limitations of claim 1 above, but do not disclose a system that is adapted for a settlement between a customer as one of the users and a shop as the other one of the users on the Internet, at least some of articles provided by the shop are provided with a settlement restriction restricting the purchase of an article by particular customers, when an article with a settlement restriction is to be purchased by the customer and the settling information is sent to said computer, and this settling information is made to include the settling information. WIPO '203 and EPO '802 also do not disclose that in a case that said settling information includes said settlement restriction information, said settlement execution means of said computer distinguishes whether the customer is included under the particular customers, and executes the settlement, based on the result of the distinction.

22. Jacoves et al teaches a method of processing information through a clearinghouse where a quantity limit is established for certain products, to restrict the amount of goods that may be purchased at a certain price. The examiner notes in the case of a quantity limit, a customer may only purchase a certain quantity of the product at the given price. After a customer purchases the maximum quantity, they will be restricted from buying the product at the certain price, thereby

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excluding them from the "particular customers" group. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made, to modify WIPO '203 and EPO '802 as taught by Jacoves et al in order to limit the quantity of a product sold at a certain price.

23. Claims 22, 23 and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over WIPO '203 in view of EPO '802 as applied to claim 20 above, and further in view of Herz (U.S. Patent No. 6,460,036). WIPO '203 and EPO '802 recite all of the limitations of claim 20 and 21 above, but neither discloses a particular one of said database servers to be provided in said storage means thereof with a main data file for particular users, and the plurality of other said database servers are each provided in said storage means thereof with an auxiliary data file for said particular users, or financial transaction information of said auxiliary data file is sent to the particular said database server, and financial transaction information of said particular users is integrated in said main data file.

24. Herz teaches a plurality of proxy servers, the first server having a pseudonym database, the second server having a detailed user profile (column 34, lines 53-60). Herz uses the separate servers and databases in order to disassociate the user profile and the user interest summary from the user's true identity (column 34, lines 34-37). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify WIPO '203 and EPO '802 as taught by Herz in order to disassociate certain information for each particular user.

25. With respect to claim 28, WIPO '203 discloses that upon the receipt of settling information sent through the telecommunication line, said computer (18, 28 or 30) performs the

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process of withdrawing the payment from the payer's account, based on this settling information, and sends information about the completion of the process of withdrawing to the settling information sender when the process of withdrawing the payment is completed; and after the transmission of the information about the completion of the process of withdrawing, said computer performs the process of depositing the payment in the payee's account.

26. Claim 29 is rejected under 35 U.S.C. 103(a) as being unpatentable over WIPO '203 in view of EPO '802 as applied to claims 1 and 24 above, and further in view of Matsumori (U.S. Patent No. 6,246,998). WIPO '203 and EPO '802 recite all of the limitations of claim 24 above, but fail to disclose that upon the receipt of settling information sent through the telecommunication line, said computer creates a log file based on this settling information and memorizes the created log file in a log file database and the settlement execution means of the computer performs the settlement based on the contents of said log file memorized in said log file database.

27. Matsumori teaches a system where upon the receipt of settling information (i.e. price, column 3, lines 4-5) sent through the telecommunication line, said computer creates a log file based on this settling information (column 2, line 65 - column 3, line 10) and memorizes the created log file in a log file database and the settlement execution means of the computer performs the settlement based on the contents of said log file memorized in said log file database. Because Matsumori describes the log file as a "transaction log file", the examiner asserts that the information in the log file is used to perform the transaction, or settlement. Matsumori uses the log file in order to modify the transaction information before a final

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transaction, or settlement, is made. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify WIPO '203 and EPO '802 as taught by Matsumori in order to be able to modify the transaction information before a final transaction, or settlement, is made.

28. Claims 30-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over WIPO '203 in view of EPO '802 as applied to claims 25-27 above, and further in view of Matsumori. WIPO '203 and EPO '802 recite all of the limitations of claims 25 and 26 above, but fail to disclose that upon the receipt of settling information sent through the telecommunication line, said computer creates a log file based on this settling information and memorizes the created log file in a log file database and the settlement execution means of the computer performs the settlement based on the contents of said log file memorized in said log file database.

29. Matsumori teaches a system where upon the receipt of settling information (i.e. price, column 3, lines 4-5) sent through the telecommunication line, said computer creates a log file based on this settling information (column 2, line 65 - column 3, line 10) and memorizes the created log file in a log file database and the settlement execution means of the computer performs the settlement based on the contents of said log file memorized in said log file database. Because Matsumori describes the log file as a "transaction log file", the examiner asserts that the information in the log file is used to perform the transaction, or settlement. Matsumori uses the log file in order to modify the transaction information before a final transaction, or settlement, is made. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify WIPO '203 as taught by Matsumori

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in order to be able to modify the transaction information before a final transaction, or settlement, is made.

30. Claim 33 is rejected under 35 U.S.C. 103(a) as being unpatentable over WIPO '203 in view of EPO '802 and Herz as applied to claim 28 above, and further in view of Matsumori. WIPO '203, EPO '802, and Herz recite all of the limitations of claims 25 and 26 above, but fail to disclose that upon the receipt of settling information sent through the telecommunication line, said computer creates a log file based on this settling information and memorizes the created log file in a log file database and the settlement execution means of the computer performs the settlement based on the contents of said log file memorized in said log file database.

31. Matsumori teaches a system where upon the receipt of settling information (i.e. price, column 3, lines 4-5) sent through the telecommunication line, said computer creates a log file based on this settling information (column 2, line 65 - column 3, line 10) and memorizes the created log file in a log file database and the settlement execution means of the computer performs the settlement based on the contents of said log file memorized in said log file database. Because Matsumori describes the log file as a "transaction log file", the examiner asserts that the information in the log file is used to perform the transaction, or settlement. Matsumori uses the log file in order to modify the transaction information before a final transaction, or settlement, is made. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify WIPO '203 as taught by Matsumori in order to be able to modify the transaction information before a final transaction, or settlement, is made.

32. Claims 1 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over WIPO 99/33034 (WIPO '034) in view of EPO '802. WIPO '034 discloses an electronic settling system for executing settlements on the Internet, comprising a computer (18, 31-35), wherein said computer includes a storage means for storing financial transaction information of every user, a settling information receiving means for receiving settling information transmitted from the user through a telecommunication line, and a settlement execution means for executing a settlement between the users based on the settling information received by said settling information receiving means. Official notice is taken that many financial accounts include updating means for updating the financial transaction information of the users stored in said storage means so as to reflect the content of the settlement executed by said settlement execution means. The examiner notes that 31-35 are the banking network, credit card, wireless provider, internet provider, or other financial company, as shown in the figure 3 of WIPO '034. The examiner asserts, that because 31-35 are contacted electronically, that they comprise a computer, with user account information that would include financial transaction information of a user, means for receiving settling information, and means for executing the settlement. WO '034 does not disclose the storage means to include a data file for every user, and one said data file integrates financial transaction information of the one user, and when said computer reads out the financial transaction information of a user, said computer specifies the data file of the user and reads out this data file.

33. EPO '802 teaches storage means to include a data file for every user, and one said data file integrates financial transaction information of the one user, and when said computer reads

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out the financial transaction information of a user, said computer specifies the data file of the user and reads out this data file (column 3, line 45-column 4, line 2) so that a user may be properly billed or charged for a transaction. Therefore, it would have been obvious to one of ordinary skill in the art to modify WIPO '203 as taught by EPO '802 so that a user may be properly billed or charged for a transaction.

34. With respect to claim 10, WIPO '034 discloses the electronic settling system according to claim 1, further comprising an automatic vending machine (page 8, line 10) which includes means for receiving information transmitted from a portable information terminal of the user for specifying which article is to be purchased and transmitting the settling information based on the received information to said computer. WIPO '034 also discloses the computer to include means for transmitting the information of settled results to said automatic vending machine, when said computer receives the settling information transmitted from said automatic vending machine through said settling information receiving means and then executes the settlement using said settlement execution means. Furthermore, Official Notice is taken that automatic vending machines to include means for discharging articles based once payment is received.

35. Claims 15-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over WIPO '034 in view of EPO '802, as applied to claim 1 above, and further in view of European Patent 0713198 A2 (EPO '198). With respect to claims 15 and 17, WIPO '034 and EPO '802 recite all of limitations of claim 1 above, but do not disclose a ticket vending apparatus which includes a means for sending inputted ticket purchase information to a portable information terminal of a

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user, and a means for receiving authenticated ticket purchase information sent from said portable information terminal of the user and sending settling information based on the authenticated ticket purchase information to said computer; wherein the computer comprises a means for, when the settling information sent from said ticket vending apparatus is received by said settling information receiving means and the settlement is executed by the settlement execution means, sending the settlement result information to said ticket vending apparatus; and the ticket vending apparatus comprises a means for receiving the settlement result information sent from the computer, and sending ticket data about the ticket of which settlement has been established to the portable information terminal of the user.

36. EPO '198 teaches a ticket vending apparatus (1) which includes a means for sending inputted ticket purchase information to a portable information terminal (2) of a user, and a means for receiving authenticated ticket purchase information sent from said portable information terminal of the user and sending settling information based on the authenticated ticket purchase information to said computer; wherein the computer comprises a means for, when the settling information sent from said ticket vending apparatus is received by said settling information receiving means and the settlement is executed by the settlement execution means, sending the settlement result information to said ticket vending apparatus; and the ticket vending apparatus comprises a means for receiving the settlement result information sent from the computer, and sending ticket data about the ticket of which settlement has been established to the portable information terminal of the user. EPO '198 uses the ticket vending apparatus to eliminate the cost of a paper ticket and increase convenience to the customer. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify WIPO

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'034 and EPO '802 as taught by EPO '198 in order to eliminate the cost of a paper ticket and increase convenience to the customer. EPO '198 further teaches a means for receiving a ticket data memorized in the portable information terminal (2) of the user when the ticket data is sent, and a means for authenticating the received ticket data, disposed at the entrance for admitting entry of the user provided that the ticket is presented.

37. With respect to claims 16 and 18, WIPO '034 and EPO '802 recite all of the limitations of claim 1 above, but do not disclose a ticket vending apparatus which includes a means for sending inputted ticket purchase information to a portable information terminal of a user; wherein the computer comprises a means for, when the settling information which is sent from the portable information terminal of the user and which is the ticket purchase information sent from said ticket vending apparatus and authenticated is received by said settling information receiving means, and the settlement is executed by said settlement execution means, sending the settlement result information to said ticket vending apparatus; and the ticket vending apparatus comprises a means for receiving the settlement result information sent from the computer, and sending ticket data about the ticket of which settlement has been established to the portable information terminal of the user.

38. EPO '198 teaches a ticket vending apparatus (1) which includes a means for sending inputted ticket purchase information to a portable information terminal (2) of a user; wherein the computer comprises a means for, when the settling information which is sent from the portable information terminal of the user and which is the ticket purchase information sent from said ticket vending apparatus and authenticated is received by said settling information receiving means, and the settlement is executed by said settlement execution means, sending the settlement

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result information to said ticket vending apparatus; and the ticket vending apparatus comprises a means for receiving the settlement result information sent from the computer, and sending ticket data about the ticket of which settlement has been established to the portable information terminal of the user. EPO '198 uses the ticket vending apparatus to eliminate the cost of a paper ticket and increase convenience to the customer. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify WIPO '034 and EPO '802 as taught by EPO '198 in order to eliminate the cost of a paper ticket and increase convenience to the customer. EPO '198 further teaches a means for receiving a ticket data memorized in the portable information terminal of the user when the ticket data is sent, and a means for authenticating the received ticket data, disposed at the entrance for admitting entry of the user provided that the ticket is presented.

Response to Arguments

39. In the first Office action (paper number 6), examiner took Official Notice that many accounts financial accounts include updating means for updating the financial transaction information of the users stored in a storage means, in response to a limitation in a claim 1. Official Notice was also taken that a computer may comprise a plurality of database servers and the storage means of each of the database servers includes a data file of each of the plurality of users, in response to a limitation in claim 20. Additionally, Official Notice was taken that automatic vending machines to include means for discharging articles based once payment is received, in response to the limitation in claim 10. Examiner notes that because the limitations under Official Notice have not been challenged or traversed, that they are now taken as admitted prior art.

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40. Applicant argues that neither WO '203 nor EPO '802 disclose storage means to include a data file for every user, where the data file integrates financial transaction information of the one user, and when the computer reads out the financial transaction information of a user, the computer specifies the data file of the user and reads out this data file. This limitation was previously present in canceled claim 19, and is now presented in claim 1. Examiner asserts that this limitation is disclosed by EPO '802, in column 3, line 45, to column 4, line 2. Specifically, EPO '802 states, "Database 140 maintains, among other data, wireless terminal identifications associated with each subscriber and wireless terminal usage and billing data for each subscriber" (column 3, lines 49-52). Examiner considers each wireless terminal identification associated with a subscriber to be a file. Financial transaction information (billing information) is integrated with file. Additionally, the computer must specify this wireless terminal identification, or file, within the database, in order to access the correct information.

Conclusion

41. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

42. A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

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however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

43. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael J Kyle whose telephone number is 703-305-3614. The examiner can normally be reached on Monday - Friday, 8:30 am - 5:00 pm.

44. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Shackelford can be reached on 703-308-2978. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

45. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

mk



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